

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

ORDER

14-CV-2808 (ADS)(WDW)

DANIELLE E. KANE,

Defendant.

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APPEARANCES:

Michael T. Sucher, Esq.
Attorney for the Plaintiff
26 Court Street, Suite 2412
Brooklyn, NY 11242

NO APPEARANCE:

The Defendant

SPATT, District Judge.

On May 5, 2014, the Plaintiff United States America (the “Plaintiff”) commenced this student loan recovery action against the Defendant Danielle E. Kane (the “Defendant”). On June 16, 2014, the Clerk of the Court noted the default of the Defendant. On June 18, 2014, the Plaintiff moved for a default judgment. On June 20 2014, the Court respectfully referred this matter to United States Magistrate Judge William D. Wall for a recommendation as to whether the motion for a default judgment should be granted, and if so, (1) whether damages should be awarded, including reasonable attorney’s fees and costs, and (2) whether any other relief should be granted.

On July 10, 2014, United States Magistrate Judge William D. Wall issued a thorough Report and Recommendation that the motion be granted and the Plaintiff be awarded the

principal balance of \$1,237.29, plus accrued interest as of June 16, 2014 of \$422.17, plus costs of \$411.99, for a total of \$2,071.45, plus *per diem* interest in the amount of \$0.11 up to entry of judgment, plus post judgment interest to be determined pursuant to 28 U.S.C. §1961.

In reviewing a report and recommendation, a court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. §636(b)(1)(C). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Wilds v. United Parcel Serv., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (citing Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)). The Court has reviewed Judge Wall’s Report and finds it to be persuasive and without any legal or factual errors. There being no objection to Judge Wall’s Report, it is hereby

ORDERED, that Judge Wall’s Report and Recommendation is adopted in its entirety. The motion for a default judgment and an award of damages is granted and the Plaintiff is awarded the principal balance of \$1,237.29, plus accrued interest as of June 16, 2014 of \$422.17, plus costs of \$411.99, for a total of \$2,071.45, plus *per diem* interest in the amount of \$0.11 up to entry of judgment, plus post judgment interest to be determined pursuant to 28 U.S.C. §1961; and it is further

ORDERED, that the Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: Central Islip, New York
August 15, 2014

Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge